



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

held, that the guardian of an adult may avoid any conveyance of property executed by his ward while a minor, which might be avoided by the ward himself if capable of exercising the right, and if money paid to the minor as consideration for his conveyance of real estate has been wasted or spent by him during his minority, payment of the amount is not necessary to enable his guardian to avoid the conveyance. *Chandler v. Simmons*, 97 Mass. 508.

INDIANS—ACTIONS—JURISDICTION OF STATE.—*DERAGON v. SERO*, 118 N. W. 839 (Wis.).—*Held*, the laws of the state for the peace and good order of people within its boundaries extend over Indian reservations, and apply to infractions of such laws, whether by Indians or others.

The general rule is that the federal courts have jurisdiction over all Indians, for, regarding them as wards of the nation, the United States has full power to pass such laws as may be necessary to their full protection and may punish all offences committed against them or by them within the reservation. *U. S. v. Thomas*, 151 U. S. 577. And it is held that the state courts have no jurisdiction in such cases. *State v. Kagarua*, 23 Cent. L. J. 420; *In re Cross*, 20 Neb. 417; *State v. McKenney*, 18 Nev. 182. But when an Indian has severed his tribal relations he may be prosecuted in the courts of the state whether the crime is committed within or without the reservation. *State v. Williams*, 13 Wash. 335. And if the crime is not by an Indian against an Indian whether on or off the reservation, the state courts have jurisdiction. *Marion v. State*, 16 Neb. 349.

MASTER AND SERVANT—INJURIES TO THIRD PERSONS—MISCONDUCT OF SERVANT.—*HOGLE v. H. H. FRANKLIN MFG. CO.*, 112 N. Y. SUPP. 881.—*Held*, that the general rule that a master is not liable for a malicious act of his servant, not done within the scope of his employment, does not relieve the master from his own neglect to use reasonable means to prevent a dangerous practise carried on by workman under his control and on his premises. *McLennan*, P. J., *dissenting*.

The master is usually not liable for the wilful and malicious acts of his servant done outside of the course and scope of the employment. *Collins v. Alabama Great Southern Ry. Co.*, 104 Ala. 390. The liability of the master is determined by the doctrine of *respondeat superior*, which is founded on the power of control and direction which the superior has a right to exercise and which for the safety of other persons he is bound to exercise over the acts of his subordinates. 1 *Blackstone Comm.*, 431. A man can only use his property in such a manner as constitutes a reasonable exercise of dominion, having regard to all interests affected and having also in view public policy. *Booth v. Rome, etc., Ry. Co.*, 140 N. Y. 267. But the mere fact that a wrongful act occurred upon his property will not make the doctrine of *respondeat superior* apply. *Herbstritt v. Lacka Lumber Co.*, 212 Pa. St. 495. Where, however, the master has notice of a dangerous practise being carried on by his employees and he does not take reasonable care to prevent it, he will be liable, regardless of whether it was malicious or in the scope of employment. *Snow v. Fitchburg Railroad*, 136 Mass. 552. Under such circumstances the master's permission is implied. *Brannock v. Elmore*, 114 Mo. 55.